

**UNITED STATES DISTRICT COURT FOR THE EASTERN
DISTRICT OF TENNESSEE AT KNOXVILLE**

KIMBERLY HAWLEY,
Plaintiff,

vs.

**ANESTHESIA MEDICAL ALLIANCE
OF EAST TENNESSEE, PC, BECKY
NICHOLS, OPTIMA RECOVERY
SERVICES, LLC, MARILYN HELTON,
AND STANLEY F. RODEN &
ASSOCIATES,**
Defendants.

ORDER

**No. 3:12-cv-153
Judge Tena Campbell**

Plaintiff Kimberly Hawley has filed a lawsuit claiming that Defendant Marilyn Helton of violated the Fair Debt Collection Act, committed fraud, and engaged in a civil conspiracy. During settlement negotiations the parties discussed dismissing the claims against Ms. Helton for the sum of \$1.00. But after a disagreement about the other terms of the settlement, Ms. Helton filed a Motion to Enforce the Settlement Agreement (Docket No. 12). Ms. Hawley never responded to the Motion to Enforce. A month later, Ms. Helton filed a Motion to Dismiss for Failure to State a Claim (Docket no. 14). Ms. Hawley never responded to the Motion to Dismiss.

On August 10, 2012, the court issued an Order to Show Cause, ordering Ms. Hawley to show why Ms. Helton's two motions should not be granted by the court. Ms. Hawley did not respond to the Order to Show Cause.

The court has carefully reviewed Ms. Helton's Motion to Dismiss, and finding that it has merit, the court GRANTS the Motion to Dismiss (Docket No. 14) for substantially the same reasons as presented in her memorandum.

Because all claims against Ms. Helton have now been dismissed, the court further
ORDERS that Ms. Helton is DISMISSED from this matter.

Finally, the court ORDERS that the Motion to Enforce (Docket No. 12) is DENIED AS
MOOT.

SO ENTERED this 19th day of February, 2013.

BY THE COURT:

A handwritten signature in black ink that reads "Tena Campbell". The signature is written in a cursive, flowing style.

TENA CAMPBELL
U.S. District Court Judge